



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

News Media Information 202 / 418-0500
Internet: <http://www.fcc.gov>
TTY: 1-888-835-5322

DA 05-382

Released: February 10, 2005

NOTICE OF TREATMENT OF COMMENTS OF GLOBAL CROSSING AS *EX PARTE*

Petitions of Global Crossing Telecommunications, Inc. and SBC Communications, Inc. for Declaratory Ruling

WC Docket No. 04-424

On December 8, 2004, the Wireline Competition Bureau issued a public notice seeking comment on petitions for declaratory ruling filed by Global Crossing Telecommunications, Inc. (Global Crossing) and SBC Communications, Inc.¹ The public notice stated that “[a]ll filings must be addressed to the Commission's Secretary, Marlene H. Dortch, Office of the Secretary, Federal Communications Commission.”² Comments were due on January 7, 2005, and reply comments were due on January 18, 2005.³

On January 7, 2005, the date comments were due, Global Crossing hand-delivered a document to the “Chief, Wireline Competition Bureau,” entitled “Comments on SBC’s Petition for Declaratory Ruling,” which was stamped as received by the “Bureau/Office” on that date.⁴ Because this document was not filed with the Office of the Secretary, however, it was not considered filed with the Commission or made available on the Commission’s Electronic Comment Filing System (ECFS) during the pleading cycle.

Global Crossing subsequently filed electronically a date-stamped copy of this document as a “comment” on February 1, 2005, after the deadlines for receiving comments and replies had passed.⁵ Accordingly, the Commission will consider this filing as an *ex parte* presentation in this proceeding, and interested parties may file responses by *ex parte* presentation should they so choose.

¹ See *Pleading Cycle Established for Petitions of Global Crossing Telecommunications, Inc. and SBC Communications, Inc. for Declaratory Ruling*, WC Docket No. 04-424, Public Notice, 04-3865 (rel. December 8, 2004).

² *Id.* at 3.

³ See *Petitions of Global Crossing Telecommunications, Inc. and SBC Communications, Inc. for Declaratory Ruling*, WC Docket No. 04-424, Order Extending Pleading Cycle, DA 04-4030 (PPD, WCB, rel. Dec. 23, 2004).

⁴ Global Crossing also mailed the document to SBC Communications, Inc. on January 7, 2005.

⁵ Global Crossing did provide SBC with an opportunity to comment on this document during the pleading cycle. See note 4, *supra*.

Action by the Chief, Pricing Policy Division, Wireline Competition Bureau.

For further information, contact Fred Campbell of the Pricing Policy Division, Wireline Competition Bureau at (202) 418-1553.

- FCC -